

TTIP and EU-India “Secret Trade Talks”: Big Business Setting Policy behind Closed Doors

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On Thursday 4 June, the European Court of Justice (ECJ) ruled on an appeal taken by Corporate Europe Observatory (CEO) against the European Commission for withholding information related to the EU’s trade talks with India. The documents in question were deemed ‘sensitive’ and ‘confidential’ when access was requested by CEO in the public interest. The Commission was accused of discriminating in favour of corporate lobby groups and of violating the EU’s transparency rules. The Court [has however ruled](#) against CEO. The decision risks deepening the secrecy shrouding EU trade policy.

CEO appealed a decision on the original [lawsuit](#) that concerned 17 documents – including meeting reports, emails and a letter – related to the ongoing EU-India free trade negotiations. The original lawsuit was filed by CEO in 2011. The Commission shared all of these documents in full with corporate lobby groups such as BusinessEurope. However, CEO only received censored versions, with allegedly sensitive information about priorities, tactics and strategies in the negotiations deleted. CEO contended that documents already shared with business lobbies could not then be declared ‘sensitive’ or ‘confidential’ when a public interest group asks for their disclosure.

Reacting to the appeal ruling, CEO trade campaigner Pia Eberhardt said:

“It’s a sad day for citizens when the European Court of Justice effectively sanctions the Commission’s secretive collaboration with, and for, a tiny elite of corporate lobby groups. Particularly baffling is that this ruling comes in the context of growing public pressure against the current direction of EU trade policy.”

Despite the ruling, the Commission will continue to face increased public and political pressure for its one-sided approach to the EU-US trade talks (TTIP), making it politically impossible to carry on disregarding concerns about the proposals, and calls for transparency and balance.

Eberhardt continued:

“The issues of privileged access for big business and the lack of transparency have been at the heart of the massive opposition that has confronted TTIP. Trade deals that cater for big business needs and works against the interests of the bulk of the population in Europe and beyond will not be accepted by citizens.”

It all begs the question: how long can the Commission continue its habit of granting big business privileged access to its trade policy-making process by sharing information that is withheld from the public?

It appears that EU trade policy makers do not desire well-informed, meaningful public participation and only want to cater to the needs of big business. The public must rely on leaked documents or requests by civil organisations for information that when it finally does arrive after months of waiting is heavily censored (see '[More Secrecy and Duplicity Revealed](#)').

Although this is a terrible state of affairs, it should surprise no one. The European Commission has in recent years been little more than a [captive but willing servant](#) of a corporate agenda. The future of hundreds of millions of people continues to be served up to powerful corporate interests behind closed doors.

(See the history of the Transatlantic Trade and Investment Partnership talks [here](#). See '[India for Sale to Western Corporate Capital](#)' and '[Corporate Driven Plunder](#)' for some background information on the EU-India free trade deal.)

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